

NOT FOR PUBLICATION

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

UNITED STATES OF AMERICA

:
: **ORDER**
: Crim. No. 10-237 (WHW)

v.
:

ROBERTO CASTANON

Walls, Senior District Judge

On January 3, 2013, defendant Roberto Castanon submitted a letter regarding the garnishment of a cash value life insurance account with New York Life, alleging this Court never ruled whether this life insurance account was subject to garnishment. ECF #46. Castanon requested this Court hold the garnished funds in abeyance until this Court rules on the issue of whether the account can be garnished. *Id.* Castanon is incorrect. On April 24, 2012, this Court issued an Opinion on this very matter and held that the life insurance account was subject to garnishment pursuant to 18 U.S.C. §3613. ECF #40. On October 4, 2012, this Court issued a Garnishee Order directing the United States of America to liquidate the defendant's life insurance policy to be applied to the defendant's outstanding financial obligations. ECF #43. Accordingly, the government properly liquidated the life insurance account and applied the proceeds against the restitution judgment. Castanon's request for abeyance is DENIED.

s/ William H. Walls

United States Senior District Judge